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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 **GARNIK MANGASARYAN**

12 Plaintiff,

13 vs.

14 **FIRST AMERICAN LOANSTAR**
15 **TRUSTEE SERVICES; AMERICA'S**
16 **SERVICING COMPANY; and DOES**
17 **1-50, inclusive,**

18 Defendants.

Case No. CV08-08466 R (MANx)
Hon. Manuel L. Real
Courtroom 8 – Spring Street

~~PROPOSED~~ JUDGMENT

19 The motion of Defendant Wells Fargo Bank, N.A. dba America's Servicing
20 Company (erroneously sued as America's Servicing Company) ("Wells Fargo") to
21 dismiss the complaint of Plaintiff Garnik Mangasaryan pursuant to Federal Rule of
22 Civil Procedure 12(b)(6) and 12(e) for failure to state a claim upon which relief can
23 be granted came on regularly for hearing on March 23, 2009 at 10:00 a.m. before
24 the Honorable Manuel L. Real. Jarlath M. Curran, II of the Law Firm of Severson
25 & Werson appeared on behalf of Defendant Wells Fargo. There were no
26 appearances by or on behalf of Plaintiff. All other appearances are noted on the
27 record.
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1 After considering the moving papers as well as all opposition papers, if any,
2 and good cause appearing:

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Wells
4 Fargo's motion to dismiss is granted.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that
6 Plaintiff's complaint is dismissed with prejudice as to Wells Fargo Bank, N.A. dba
7 America's Servicing Company (erroneously sued as America's Servicing
8 Company). Plaintiff is to recover nothing from Wells Fargo.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW
10 Roth PLC and or Mitchell Roth, jointly and severally, shall reimburse Plaintiff any
11 monies paid to file or pursue this lawsuit.

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW
13 Roth PLC and or Mitchell Roth, jointly and severally, shall pay Wells Fargo the
14 sum of \$2,942.64, which constitutes all attorney's fees and costs incurred by Wells
15 Fargo in defending this action.

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18 DATED: May 29, 2009


HONORABLE MANUEL L. REAL